



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case:	Z2020021 – Fry’s Shops Monument Signs
Hearing Date:	July 23, 2020
Supervisor District:	2
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Applicant:	Kaytlin Fox, Evergreen – Development Company
Owners:	Evergreen – Broadway & Ellsworth, LLC & Smith Food & Drug Centers Inc.
Request:	Amend the C-S CUPD overlay zoning district to allow two (2) new freestanding monument signs per street frontage
Site Location:	Generally located 200’ south and east of the southeast corner of Ellsworth Rd. and Broadway Rd. in the Mesa area
Site Size:	Approx. 10 acres
Density:	N/A
County Island:	Yes (City of Mesa)
County Plan:	East Mesa Area Plan – Urban Residential/Low (0-6 du/ac)
Municipal Plan:	City of Mesa – Neighborhood Village
Municipal Comments:	None received to date
Support/Opposition:	None known
Recommendation:	Approve with conditions

Project Summary:

1. The applicant, on behalf of the property owner, is requesting a zone change from the existing C-S CUPD to C-S with a new CUPD on a 10 acre site in the Mesa Area. The site is generally located near the southeast corner of Ellsworth Rd. and Broadway Rd. and is an existing shopping center. The purpose of the revised CUPD request is to vary Article 1403.2.3.3 of the Zoning Ordinance that allows one (1) freestanding sign per street frontage and if there are more than one (1) sign per street frontage these must be spaced a minimum of 200 linear feet from each other. The applicant is requesting that this site be allowed to have two (2) freestanding monument signs per street frontage that can be spaced a minimum of 100 linear feet from each sign.
2. The new proposed freestanding signs will serve the tenants of the suites attached and south of the existing Fry's Food & Drug Supermarket. Since the development of the Fry's Fuel Service Station in 2009 the visibility of these suites has been obscured from view of traffic traveling along Ellsworth Rd., which has reduced the number of customers who visit these suites. Therefore, allowing these separate tenants an extra sign to place their business names per street frontage of the shopping center would be beneficial for these businesses and increase their customer base. The reason why the applicant is requesting to permit freestanding signs less than 200 linear feet from each other on this site is because any sign placed along Broadway Rd. would have to be less than 200 linear feet to outside of the Sight-Visibility-Triangles of the property's driveways. Thus, the proposal is to place the new freestanding monument sign along Broadway Rd. 120-feet west of the exiting freestanding monument sign that is on the northeast corner of the main north driveway of the site. Additionally, the proposed freestanding monument sign along Ellsworth Rd. would be placed 213-feet south of the existing sign on the northeast corner of the main west driveway to access the site in front of the existing fuel canopy. The proposed freestanding signs are designed to match the existing architecture and color pallet of the existing shopping center. The height of each proposed sign will be nine (9) feet from the finished grade and offer a sign area of 39.72 square feet, which will be in compliance with the commercial zoning district sign requirements of the Zoning Ordinance.
3. The site was rezoned from Rural-43 to C-S CUPD via zoning case Z98-08, which was approved by the Board of Supervisors, subject to conditions 'a' -'r', on September 15, 1999. Condition 'g' of this rezoning case stated that only one (1) detached sign per street frontage would be allowed on the site, which echoes Article 1403.2.3.3. of the Zoning Ordinance. After the zoning case was approved the supermarket was constructed between 1999 and 2000. Afterwards, in 2001 the attached suites were constructed, followed by the supermarket's fuel canopy that was constructed in 2009.
4. The applicant is proposing to vary a requirement for signs in commercial zoning districts from one (1) freestanding monument sign per street frontage, spaced a minimum of 200 linear feet apart to two (2) freestanding monument signs per street frontage, separated a minimum of 100 linear feet from each other (see Development Standards Table on the following page).

Request	Base C-S CUPD Zoning District	Proposed C-S CUPD Zoning District
Maximum Height	40'	40'
Minimum Perimeter Setbacks	50'	50'
Maximum Lot Area	5 acres	5 acres
Minimum Lot Width	None	None
Maximum Lot Coverage	25%	25%
Freestanding Signage	<p>Maximum Height 12'</p> <p>Maximum Sign Area 80 SF</p> <p>1 Freestanding Sign per Street Frontage (200' From Another Freestanding Sign)</p>	<p>Maximum Height 12'</p> <p>Maximum Sign Area 80 SF</p> <p>2 Freestanding Signs Per Street Frontage (100' From Another Freestanding Sign)</p>
Parking	Commercial: 1 space/250 SF of Floor Area	Commercial: 1 space/250 SF of Floor Area.

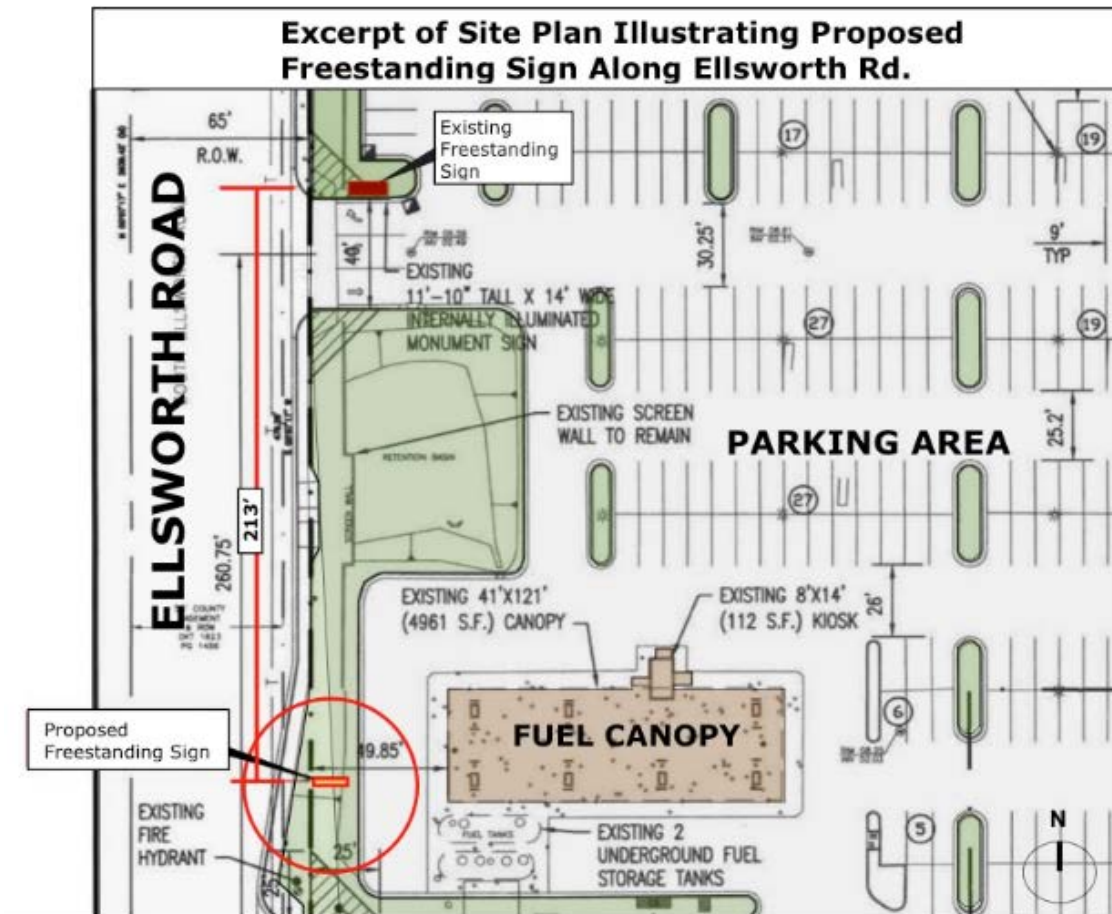
2020 Aerial Image of the Site



Zoning Map of Site and Surrounding Environs



Excerpt of Site Plan Illustrating Proposed Freestanding Sign Along Ellsworth Rd.



Excerpt of Site Plan Illustrating Proposed Freestanding Sign Along Broadway Rd.



5. It should be noted that since the applicant is proposing a site plan (required plan of development, POD) and although the zone change is a legislative approval, the POD is administratively approved. Therefore, POD approval is contingent upon prior rezoning approval.

Existing On-Site and Adjacent Zoning / Land Use:

6. On-site: C-S CUPD / Commercial shopping center
 North: C-1 CUPD, R-5 and C-3/ Retail, RV Park, and Bowling Alley
 South: R1-6/ Single-Family Residences
 East: R1-6 / Single-Family Residences
 West: C-2 CUPD & R1-8/ Retail & Single-Family Residences

Utilities and Services:

7. Water: City of Mesa
 Wastewater: City of Mesa
 School District: Mesa Unified School District
 Fire: Rural Metro Fire Department
 Police: MCSO

Right-of-Way:

- 8. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan.

Street Name	Half-width Existing R/W	Half-width Proposed R/W	Future Classification
Ellsworth Rd.	65'	65'	Major Arterial
Broadway Rd.	65'	65'	Major Arterial

Adopted Plans:

- 9. **East Mesa Area Plan** (adopted February 18, 1992): The East Mesa Area Plan designates the site as Urban Residential/Low Density (0-6 du/ac). This category denotes areas where higher density residential development is appropriate, because all urban services are available or plausible. Convenience commercial development may be located within the area, especially for sites with direct access to arterial streets. The existing commercial uses that are intended for the use by the surrounding neighborhoods is in concert with the East Mesa Area Plan.
- 10. **City of Mesa's 2040 General Plan** (November 2014): The City of Mesa's General Plan designates the site as Neighborhood Village, which are designed to serve as commercial and mixed use nodes of activity that serves the surrounding neighborhoods. The use of the site as a commercial shopping center is conforming to this land-use designation.

Public Participation Summary:

- 11. The applicant complied with the Maricopa County Citizen Review Process with the required posting of the property and notification by first class mail to adjacent property owners within 300-feet of the subject parcel and interested parties. Furthermore, the initial submittal was routed to the City of Mesa who had no comment. As of the date of this report, staff has not received any letters of opposition.

Outstanding Concerns from Reviewing Agencies:

- 12. N/A.

Staff Analysis:

- 13. Staff is in support of this zone change with overlay request. The addition of one (1) extra freestanding monument sign along both Ellsworth Rd. and Broadway Rd. would have a minimal impact to the existing shopping center. Moreover, the new freestanding monument signs will add new visibility for both the existing and future tenants to the attached suites, bringing more life and business to this part the shopping center.

Recommendation:

- 14. For the reasons outlined in this report, staff recommends the Commission motion for **Approval**, subject to conditions 'a' – 'i'.

- a. Development of the site shall be in substantial conformance the Site Plan entitled, "Overall Site Plan", consisting of one (1) full-size sheet, dated, April 30, 2020, and stamped received May 7, 2020, except as modified by the following.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "435 & 439 S. Ellsworth Road", consisting of four (4) pages, dated April 30, 2020, and stamped received May 7, 2020, except as modified by the following.
- c. Any new freestanding monument sign shall match the architecture and color pallet of the existing shopping center.
- d. The following Maricopa County Environmental Services Department (MCESD) comment shall apply:
 - 1. Will require minor NOID application approval.
- e. The following Planning Engineering conditions shall apply:
 - 1. Engineering review of planning and/or zoning cases are for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.
 - 2. All development and engineering designs shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.
 - 3. At the time of application for building permit(s), detailed Grading & Drainage Plans must be provided.
- f. The following C-S CUPD development standards shall apply:
 - 1. The ability to have two (2) freestanding monument signs per street frontage at the location and per the standards identified in conditions 'a' and 'b'.
 - 2. The ability to place a freestanding monument sign a minimum of 100-feet away from another freestanding monument sign.
- g. Noncompliance with any Maricopa County Regulations shall be grounds for initiating a revocation of this zone change as set forth in the Maricopa County Zoning Ordinance.
- h. The property owners and their successors waive claim of diminution of value if Maricopa County takes action to rescind approval due to noncompliance with conditions.

- i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the land owner. The granting of this approval allows the property owner to enjoy uses in excess of those permitted by the zoning that existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value the property held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the values of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

Presented by: Martin Martell, Planner
Reviewed by: Matthew Holm, AICP, Planning Supervisor

Attachments: Case Map (1 page)
Site Plan (reduced 8.5"x11", 1 page)
Narrative Report (4 pages)
MCESD comments (1 page)
DPR comments (2 pages)